

JUL 20 2005

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/009,621
	Filing Date	May 14, 2002
	First Named Inventor	HERPIN
	Art Unit	1639
	Examiner Name	EPPERSON, Jon D.
	Attorney Docket Number	USA3321 US PCT
Total Number of Pages in This Submission		4

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm Name	AVENTIS PHARMACEUTICALS INC.
Signature	<i>Joseph D. Rossi</i>
Printed name	Joseph ROSSI
Date	July 20, 2005
Reg. No.	47038

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: (USPTO FAX NO. 571-273-8300; Total No. of Pages Transmitted: 4)	
Signature	<i>Paul Irvine</i>
Typed or printed name	Paul Irvine
Date	July 20, 2005

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of  
**HERPIN, et al.**

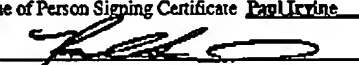
Examiner: Jon Epperson

Art Unit: 1639

Application No.: 10/009,621

Filed: May 14, 2002

Title: **SOLID PHASE SYNTHESIS OF N,N-  
DISUBSTITUTED  
DIAZACYCLOALKYLCARBOXY  
DERIVATIVES**

<p>Certificate of Transmission</p> <p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO, 571-273-8300 on the date indicated below.</p> <p>Date of Deposit <u>July 20, 2005</u></p> <p>Printed Name of Person Signing Certificate <u>Paul Irvine</u></p> <p>Signature <u></u></p>
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P. O. Box 1450  
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**REPLY TO RESTRICTION/ ELECTION REQUIREMENT**

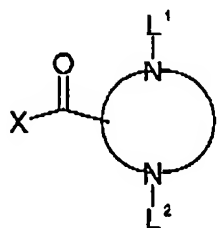
In response to the Restriction Requirement, dated June 23, 2005 ("the Action"),

Applicants submit as follows:

Applicants elect **Group I**, *i.e.*, claims 15 to 21 and 29, drawn to a method for forming a first diazacycloalkylcarboxy derivative and further subjecting said diazacycloalkylcarboxy derivative to acid cyclization. Applicants disagree respectfully with the Action's characterization of the claims of Group I to the extent that it appears to include the term "hydantoin" as a limitation of the claims (*see* page 2 of the Action). As clearly stated in claim 15, for example, the invention is defined as a "method of preparing a diazacycloalkylcarboxy derivative of formula

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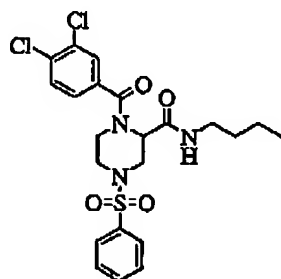
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. Thus, since the word "hydantoin" is not included in Applicants' claims,

Applicants disagree with the Action's characterization of Group I.

Further in response to the species election requirement, Applicants elect the compound of Example 3, N-butyl 1-(3,4-dichlorobenzoyl)-4-phenylsulfonylpiperazine-2-carboxamide,



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**Conclusion**

Applicants believe that the foregoing constitutes a complete and full response to the Action of record. Applicants respectfully submit that this application is now in condition for allowance. Accordingly, an indication of allowability and an early Notice of Allowance are respectfully requested.

The Commissioner is hereby authorized to charge the fee required and any additional fees that may be needed to Deposit Account No. 18-1982 in the name of Aventis Pharmaceuticals Inc.

Respectfully submitted,

Dated: July 20, 2005

  
\_\_\_\_\_  
Joseph D. Rossi, Registration No. 47,038  
Attorney for Applicant

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**Docket No. USA3321 US PCT**